

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ROSARIA NILES and SALVATORE A. BONO,

Plaintiffs,

ORDER

CV 09-3638(JFB)(ARL)

-against-

WILSHIRE INVESTMENT GROUP, LLC, *et al.*,

Defendants.

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LINDSAY, Magistrate Judge:

Before the court is plaintiffs' letter dated November 22, 2010 requesting leave to file a motion to compel discovery.

By order dated November 19, 2010, the court deemed the First Amended Complaint to be the pleading in this case, administratively terminated the defendants' respective motions in order to provide defendants with an opportunity to revise and re-notice their motions to address the amended pleading to the extent appropriate, and issued a revised briefing schedule for any renewed motions to dismiss the First Amended Complaint.

Accordingly, the plaintiffs' motion is denied at this time as premature. Plaintiffs may renew their application pending the outcome of any renewed motions that are filed with respect to their First Amended Complaint.

Dated: Central Islip, New York
December 1, 2010

SO ORDERED:

/s _____
ARLENE R. LINDSAY
United States Magistrate Judge